



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of

MUDHAR

Serial No. 10/593,588

Filed: September 21, 2006

For: ADAPTIVE CLOSED GROUP CARICATURING

Confirmation No.: 1503

Atty. Ref.: 36-2021

TC/A.U.: 2617

Examiner: K. Wang-Hurst

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November 16, 2009

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY BRIEF**

Sir:

Appellant hereby submits this Reply Brief under the provisions of 37 C.F.R.

1.193(b) in response to the Examiner's Answer mailed September 15, 2009. The arguments set forth in the Appeal Brief dated June 10, 2009 are incorporated herein.

The following arguments are presented in response to new arguments presented in the Examiner's Answer and to further clarify Appellant's previous positions.

In the Answer, the Examiner alleges that Stewart's Abstract and column 3, lines 33-43 disclose that geographic information is contained in the digital certificate, as required by the present claims. See, Answer at pages 10-11. The Examiner's strained interpretation of the cited passages is contradicted by the teaching of the Stewart reference wherein mutable or changeable data such as geographic location information, pertaining to a mobile user, is not contained in

the digital certificate. See, *inter alia*, Stewart at column 1, lines 56-58 ("the digital certificate stores non-mutable or non-changeable information from the provider"); column 3, lines 20-25 (which lists what is included in the digital certificate and does not include geographic information); and claims 1-32 (which do not include geographic information in the digital certificate, only sponsorship information).

In the Answer, the Examiner asserts that Stewart, at column 4, lines 18-36, discloses that geographical information may be used to persuade users to access the network from certain locations. See, Answer at page 12. Again, this is reading more into the language of the text than is actually there. The cited passage merely states that "the improved subscriber model may use sponsorship information [which may indeed be on the certificate] possibly in conjunction with . . . geographic location information, to provide incentives for users to . . . access the network from certain locations." The information in the certificate even if it includes the locations of these favored locations (which are "non-mutable"), must therefore be compared with the current actual location of the user terminal (which is dynamic).


In Appellants claims it is location information "geographical information derived from a physical location" which is in the signature: note that this information is in the signature generated by the forwarding node (the fixed access point) and is thus immutable, as unlike the mobile terminal, the access point does not move about.

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For at least the reasons set forth above and discussed in detail in the previously-filed Appeal Brief, it is respectfully requested that the rejections on appeal be reversed.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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